

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

---

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CEDRIC LAMONTE JACKSON,

Defendant-Appellant.

---

UNPUBLISHED

March 22, 2005

No. 252191

Oakland Circuit Court

LC No. 2003-191437-FC

Before: Murray, P.J., and Markey and O'Connell, JJ.

MEMORANDUM.

Following a jury trial, defendant was convicted of attempted unarmed robbery, MCL 750.530, and armed robbery, MCL 750.529, and sentenced as a third habitual offender, MCL 769.11, to six to ten years' imprisonment for the attempted unarmed robbery conviction and fifteen to thirty years' imprisonment for the armed robbery conviction. Defendant appeals by right. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

On appeal defendant claims his convictions must be reversed because there was insufficient evidence to prove that he used force or violence during the attempted unarmed robbery and that his use of force during the armed robbery occurred after the taking and thus did not constitute evidence sufficient to support that element of the crime. We disagree. Our review of the evidence reveals sufficient evidence to enable a rational trier of fact to find that the essential elements of the crimes were proven beyond a reasonable doubt. *People v Johnson*, 460 Mich 720, 723; 597 NW 2d 73 (1999).

Defendant moved very close to the first victim's and placed her in fear when he blocked her exit from the vestibule and demanded her money. *People v Chandler*, 201 Mich App 611, 614; 506 NW2d 882 (1993). His use of the weapon in the second offense was contemporaneous with the taking because it occurred immediately after seizing the money and before leaving the

premises. *People v Randolph*, 466 Mich 532, 538 n 6; 648 NW2d 164 (2002). Therefore, there was sufficient evidence to support both convictions.

We affirm.

/s/ Christopher M. Murray

/s/ Jane E. Markey

/s/ Peter D. O'Connell